REMARKS

Claims 1-4, 6, 9, 11-13, 15, 17-19, 21, 23-24, 26-28, 30, 32-35, 42-46, 48, 51, 53, and 57-67 are currently pending in the application. Of these claims, claims 1, 12, 18, 23, 32, 35, 42, and 51 are independent.

Emma Rejections

Claims 12-14, 18-19, 23-25, 31, 35, 37, and 51-55 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,389,505 B1 to Emma et al. ("Emma").

Applicant respectfully traverses these rejections as follows.

Claim 25 was previously canceled without prejudice or disclaimer. Applicant therefore respectfully submits claim 25 cannot be rejected.

Claims 14, 31, 37, 52, and 54-55 have been canceled without prejudice or disclaimer. Applicant therefore respectfully submits these rejections of claims 14, 31, 37, 52, and 54-55 are no longer applicable.

Independent claims 12, 23, 35, and 51 refer to non-volatile destructive read cache memory. Independent claim 18 refers to non-volatile destructive read memory to cache data.

Applicant respectfully submits Emma did not teach or suggest such feature(s) as claimed. More particularly, Applicant respectfully submits Disk and Auxiliary Storage 40 in Figure 1 of Emma cannot be equated with non-volatile destructive read cache memory (claims 12, 23, 35, and 51) or non-volatile destructive read memory to cache data (claim 18).

Noting the remaining rejected claims depend from independent claim 12, 18, 23, 35, or 51, Applicant therefore respectfully submits these rejections have been overcome and should accordingly be withdrawn.

Note that there may be additional reasons for the patentability of claims. For example, there may be additional reasons why the dependent claims are patentable.

<u>Ramakrishnan, De Martine, and/or Davis Rejections</u>

Claims 1-3, 5-6, 11, 15, 26-27, 29-30, and 32-33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,636,355 to Ramakrishnan et al. ("<u>Ramakrishnan</u>") and U.S. Patent 5,619,675 to De Martine et al. ("<u>De Martine</u>").

Claims 8-9, 17, 20-21, 42-45, and 48-49 are rejected under 35 U.S.C. § 103(a) as being unpatentable over <u>Ramakrishnan</u>, <u>De Martine</u>, and U.S. Patent Application Publication No. 2003/0023922 A1 to Davis et al. ("<u>Davis</u>").

Applicant respectfully traverses these rejections as follows.

Claims 5, 8, 20, 29, and 49 have been canceled without prejudice or disclaimer. Applicant therefore respectfully submits these rejections of claims 5, 8, 20, 29, and 49 are no longer applicable.

Applicant notes that claims 15 and 17 depend from independent claim 12, that claim 21 depends from independent claim 18, and that claims 26-27 and 30 depend from independent claim 23.

Independent claims 1 and 32 refer to a setting of a usage bit during a writeback cycle to write data read from non-volatile destructive read cache memory back to the memory.

Independent claims 12 and 23 refer to update of a usage bit for an entry read from non-volatile destructive read cache memory during a writeback cycle to write the read entry back to the memory.

Independent claim 18 refers to non-volatile destructive read memory to cache data for a magnetic memory device and refers to update of a usage bit for an entry read from the memory during a writeback cycle to write the read entry back to the memory.

Independent claim 42 refers to non-volatile destructive read memory to cache data for a storage device and refers to update of a usage bit during a writeback cycle to rewrite a corresponding entry destroyed during a read from the memory back to the memory.

Applicant respectfully submits none of <u>Ramakrishnan</u>, <u>De Martine</u>, and <u>Davis</u>, whether alone or in any obvious combination with one another, taught or suggested such feature(s) as claimed.

The Office Action in paragraph 17 on page 7 appears to equate a disk in <u>Ramakrishnan</u> to a memory as claimed by Applicant. Applicant respectfully submits the disk of <u>Ramakrishnan</u> cannot be equated with non-volatile destructive read cache memory as claimed in independent claims 1, 12, 23, and 32 or with non-volatile destructive read memory to cache data as claimed in independent claims 18 and 42.

Noting the remaining rejected claims depend from independent claim 1, 12, 18, 23, 32, or 42, Applicant therefore respectfully submits these rejections have been overcome and should accordingly be withdrawn.

Note that there may be additional reasons for the patentability of claims. For example, there may be additional reasons why the dependent claims are patentable.

Request for Clarification of Claim Rejections

Applicant notes claims 15 and 17 depend from independent claim 12, but claims 15 and 17 are rejected over <u>Ramakrishnan</u>, <u>De Martine</u>, and/or <u>Davis</u> while claim 12 is not rejected over any of these documents. Claim 21 depends from independent claim 18, but claim 21 is rejected over <u>Ramakrishnan</u>, <u>De Martine</u>, and <u>Davis</u> while claim 18 is not rejected over any of these documents. Claim 26-27 and 30 depend from independent claim 23, but claims 26-27 and 30 are rejected over <u>Ramakrishnan</u> and <u>De Martine</u> while claim 23 is not rejected over any of these documents.

Applicant respectfully requests clarification if any of independent claims 12, 18, and/or 23 are to be considered as rejected over <u>Ramakrishnan</u>, <u>De Martine</u>, and/or <u>Davis</u>.

New Claims

New claims 57-67 depend from independent claim 12, 18, 23, 32, 35, 42, or 51. Applicant therefore respectfully submits new claims 57-67 are patentable.

It is respectfully submitted this patent application is in condition for allowance, for which early action is earnestly solicited.

The Examiner is invited to telephone the undersigned to help expedite the prosecution of this patent application.

Respectfully submitted,

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